

## CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **May 16, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**\*\* 6:00 p.m. - Closed Session -- See Attached Agenda.**

### **Call to Order**

### **Pledge of Allegiance**

### **Roll Call:**

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

### **Verification of Agenda Posting**

**Proclamation:** May 20 & 21, 2005: Buddy Poppy Days in the City of Hollister  
May 2005: Foster Care Month in the City of Hollister  
May 21, 2005: Blue Star Salute Day in the City of Hollister

**6:00 P.M. - CLOSED SESSION AGENDA:**

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
  - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
  - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
  - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
    - a. RWQCB – Cease and Desist Order No. R3-2002-0105
    - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
    - c. Nicholson v. Hollister, Case No. CU-04-00063
    - d. Borges et al v. Hollister, Case No. CV030139
  - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:  
  
Agency Negotiator: Clint Quilter  
  
Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
  - 5. Threat to Public Services or Facilities pursuant to Government Code Section 54957:  
  
Consultation with City of Hollister Chief of Police
  - 6. Personnel – City Manager Evaluation/Appointment

**6:30 P. M. - AGENDA**

**A. CONSENT RESOLUTION (May 16, 2005):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

**Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7, A8 and A9.**

- A1. Minutes of Regular Meeting of May 2, 2005 and Special Meeting of May 9, 2005.

Approve Minutes of the Regular Meeting of May 2, 2005 and Special Meeting of May 9, 2005 as submitted.

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers:

- April 28, 2005           \$282,647.80
- May 5, 2005             \$332,569.74

A3 Claim against the City – Quintana.

A claim against the City has been filed by Juan Quintana. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

A4. ABC License Reviews – Taqueria Los Grullenses, La Villa De Jerez, and One Stop Gas & Food.

City Council should acknowledge receipt of the ABC license reviews for Taqueria Los Grullenses at 1270 San Juan Road, #C, La Villa De Jerez at 905 East Street, and One Stop Gas & Food at 1615 San Juan Road and order them filed.

A5. Resolution No. 2005-63, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DIRECTING THE CITY CLERK TO ADVERTISE FOR SEALED PROPOSALS FOR THE PUBLICATION OF LEGAL NOTICES FOR THE CITY OF HOLLISTER.

This Resolution authorizes staff to publish the notice inviting bids for the publication of the City's legal notices pursuant to the Government Code.

A6. Recreation Division Temporary Staffing Request.

City Council approval of hiring part-time employees for scheduled Recreation Division programs during the months of May through August 2005.

A7. Authorization to Hire One Temporary Employee for the Police Department.

City Council authorization to hire one temporary employee to replace a Police Services Officer who will be on maternity leave.

A8. Resolution No. 2005-64, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL HORSE SHOW PARADE.

This Resolution approves the temporary street closures of various streets for the Annual Horse Show Parade to be held on June 23.

A9. Resolution No. 2005-65, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN IMPLEMENTATION AGREEMENT REGARDING FUNDING OF HIGHWAY 25 IMPROVEMENTS AND MAKING FINDINGS PURSUANT TO STATE LAW IN CONNECTION THEREWITH.

This Resolution approves an implementation agreement and consents to the Redevelopment Agency's contribution of Agency funds to the improvements of Highway 25.

**B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

**1. PUBLIC INPUT.**

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

**C. PUBLIC HEARINGS (On or About 6:30 p.m.)**

1. Resolution No. 2005-66, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ORDERING THE ABATEMENT OF WEEDS ON IDENTIFIED PROPERTIES.

**CONDUCT PUBLIC HEARING**

This Resolution orders the abatement of weeds on properties that have been identified as a public nuisance.

2. Resolution No. 2005-67, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE ACCEPTANCE OF A JUSTICE ASSISTANCE GRANT, APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HOLLISTER AND THE COUNTY OF SAN BENITO, AND AUGMENTATION OF THE POLICE DEPARTMENT BUDGET.

**CONDUCT PUBLIC HEARING**

This Resolution approves the acceptance of a Justice Assistance Grant, Approval of a Memorandum of Understanding between the City of Hollister and the County of San Benito and augmentation of the Police Department Budget in the amount of \$23,282.

**D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2005-68, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE EXECUTION OF THE COMMUNITY RECREATION AGREEMENT WITH SAN BENITO HIGH SCHOOL DISTRICT FOR USE OF SAN BENITO HIGH SCHOOL AQUATICS FACILITY.

This Resolution authorizes the execution of an agreement with San Benito High School for the Recreation Division's use of the aquatics facility for the purpose of conducting the 2005 summer aquatics program.

2. Resolution No. 2005-69, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH ELIZABETH CAMPISI AND GAETANO DAVID ADDAMO.

This Resolution authorizes the execution of a lease agreement with Elizabeth Campisi and Gaetano David Addamo for a portion of Briggs Alley.

3. Resolution No. 2005-70, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF CONTRACT WITH GRACE & ASSOCIATES FOR ANNUAL INDEPENDENT AUDIT

This Resolution authorizes the execution of a contract with Grace & Associates for the Annual Independent Audit.

4. Intent to Amend City of Hollister's Contract with the California Public Employees' Retirement System (CalPERS) to provide Section 21363.2 (3% at 50 Full Formula) for eligible sworn unit members, with an effective date of July 1, 2005.

Resolution No. 2005-71, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF HOLLISTER.

Read by Title Only and Introduce Ordinance No. 997, AN URGENCY ORDINANCE OF THE CITY OF HOLLISTER AMENDING THE MUNICIPAL CONTRACT BETWEEN THE CITY OF HOLLISTER AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

**E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. San Benito County Diabetes Collaborative – Healthy Pathways Project.

City Council will receive information on the Healthy Pathways Project.

4. Receive status report on Hollister Municipal Airport.

City Council will receive an oral report regarding the Hollister Municipal Airport projects and finances.

5. March, 2005 City of Hollister and Hollister Redevelopment Agency Financial Progress Reports.

Staff will present a two-month financial progress report with an analysis of all budgetary activity for the months of January and February 2005.

6. Appointment of an alternate to the Groundwater Management Plan Committee who also meets as the Governance Committee for the Hollister Urban Area Water and Wastewater Master Plan Committee.

The City Council will ratify a Mayoral appointment of an alternate to the Groundwater Management Plan Committee who also meets as the Governance Committee for the Hollister Urban Area Water and Wastewater Master Plan Committee.

**F. UNFINISHED BUSINESS:**

1. Update on Water and Wastewater Issues

City Council will receive a written report from Staff on water and wastewater issues.

**G. NEW BUSINESS:**

1. Consider denial of request for temporary street closure for a block party.

Request to deny the application for the temporary street closure of Versailles Drive for a block party to be held on July 2, 2005.

**H. MISCELLANEOUS:**

None.

**ADJOURNMENT:**

Next Regular City Council Meeting is scheduled for June 6, 2005, at 6:30 P.M.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*